

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X Case No. 23-42029

In re:

Margarita Onassis Parlionas,

Chapter 11

Debtor.

-----X

ADV. 23-01067

Margarita Onassis Parlionas,

New York State Supreme Court Action,
Queens County Index No. 721778/2020

Plaintiff,

-against-

Athanasiros Parlionas,

Defendant.

-----X

AMENDED NOTICE
PURSUANT TO 28 U.S.C. § 1653

**OF PARTIAL REMOVAL OF STATE ACTION OF THE DEBTOR MARGARITA
ONASSIS PARLIONAS TO UNITED STATES BANKRUPTCY COURT UNDER 28
U.S.C. § 1452 AND RULE 9027(A) OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE**

1. On or about October 20, 2015, Margarita Onassis Parlionas (Plaintiff or Debtor) commenced divorce proceedings against Athanasiros Parlionas (Defendant), in the Supreme Court, County of Queens, New York state. This action, now pending, is bearing index number 721778/2020 was started with the index no. 12636/2015 (the "State Action").
2. In the above-referenced action, the Defendant has initiated several actions including sale of the properties including home of the debtor and also pending is several issues related to the payment of fees to other professionals.
3. The Debtor has several claims against the Defendant including those related to depletion of the marital assets wherein the property in cash and kind has been siphoned off and or transferred to third parties.
4. On June 7, 2023, the Debtor filed a petition for relief in this Court under chapter 11 of the Bankruptcy Code.

5. On August 15, 2023, the Debtor filed a Notice of Removal of the entire State Action. However, the same Notice is amended pursuant to 28 U.S.C. § 1653 (Amended Notice) to reflect that the Amended Notice of Removal pertains only to the entry of judgment/orders/decisions regarding Equitable Distribution and including marshalling and sale of such assets¹. The amendment is timely pursuant to FRBP 9027, as it is undertaken prior to the expiry of 90 days commencing on June 7, 2023.

6. The Debtor has a right to remove the above-described state court action because it is a civil action over which this Court has jurisdiction, and which is removable under 28 U.S.C. § 1409. The pending issues requisitioned to be removed from the state court deals with equitable distribution related orders/decisions/judgments including sale of any marital asset. The removed action would be a core proceeding in the Bankruptcy Court. Upon removal of the action, the Debtor consents to entry of final orders or judgment by the Bankruptcy Court.

7. A copy of all process and pleadings in the state court action is not subject to public filing, however, will be provided to the chambers. **Ex. A.** The effected parties have copies of the same and they have access to the state court filings.

WHEREFORE, the Debtor prays that the above referenced state case of *Parlionas v. Parlionas* [to the extent of entry of decisions/orders/judgments regarding equitable distribution of martial assets and including marshaling and sale of assets] be removed pursuant to the Amended Notice of Removal to this Court.

Dated: New York NY
August 28, 2023

/s/karamvirdahiya
Dahiya Law Offices, LLC
75 Maiden Lane Suite 606
New York New York 10038
Tel: 212 766 8000
karam@dahiya.law

California Pub. Employees' Ret. Sys. v. WorldCom, Inc., 368 F.3d 86, 106 (2d Cir. 2004) (“28 U.S.C. § 1452(a) states that ‘a party may remove **any** claim or cause of action’”)

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EXHIBIT 1

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

MARGARITA PARLIONAS,

-----X

Index No. *12636/15*

Date Summons Filed: *10/21/15*

Plaintiff,

-against-

SUMMONS

Plaintiff resides at
157-22 Powells Cove Blvd
Beechhurst, NY 11357

ATHANASIOS PARLIONAS,

Defendant.

-----X

ACTION FOR DIVORCE

To the above named Defendant:

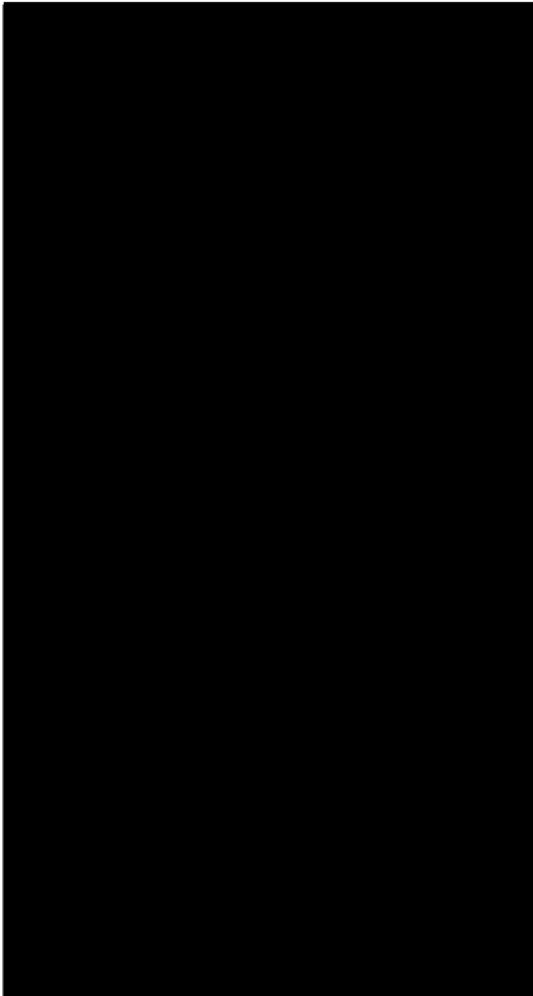
YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer on Plaintiff's Attorney within twenty (20) days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the State of New York, or within thirty (30) days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: October 20, 2015


Michael Ian Black, Esq.
Attorney for Plaintiff
270 Madison Avenue, 13 Fl
New York, NY 10016
212-297-9090







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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
MARGARITA PARLIONAS,

Index No.

Plaintiff,

-against-

ATHANASIOS PARLIONAS,

VERIFIED COMPLAINT

Defendant.

-----X

The Plaintiff, by Michael Ian Black, Esq., complaining of the Defendant, alleges the following:

FIRST: The parties are over the age of 18 years.

SECOND: This court has jurisdiction to hear this action for divorce. The Plaintiff has resided in New York State for a continuous period in excess of two years immediately preceding the commencement of this action.

THIRD: The Plaintiff and Defendant were married to each other on

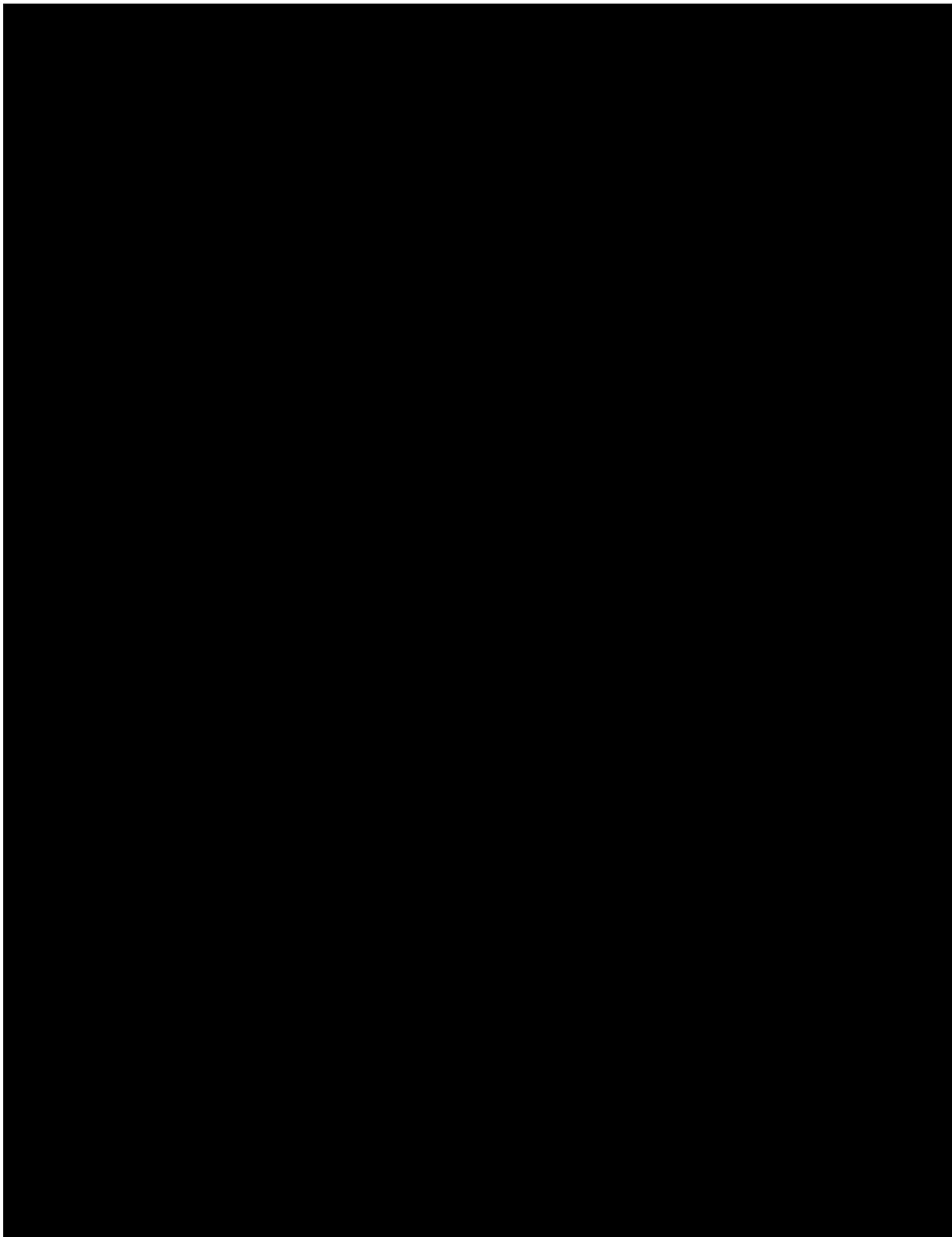
The marriage was not performed by a clergyman, minister or leader of the Society for Ethical Culture.

FOURTH: There are [REDACTED] children of the marriage, namely:

Name Date of Birth Address

A second child of the marriage is [REDACTED]. Said child is [REDACTED] age and emancipated. There is [REDACTED] and no [REDACTED]. All [REDACTED] [REDACTED]

The Plaintiff resides at 157-22 Powells Cove Blvd, Beechhurst, NY 11357 . The Defendant's address is unknown at present.



That the Court grant such other and further relief as the Court may deem fit and proper.

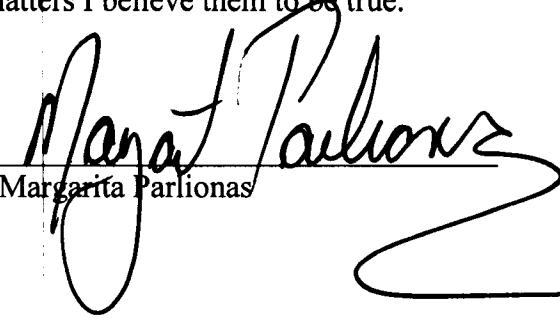
Dated: October 20, 2015



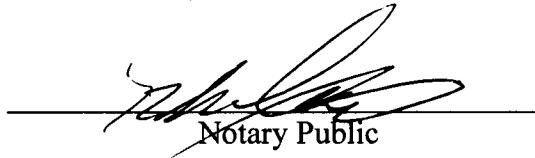
Michael Ian Black, Esq.
Attorney for Plaintiff
270 Madison Avenue, 13 Fl
New York, NY 10016
212-297-9090

STATE OF NEW YORK, COUNTY OF ~~BRONX~~, ss.

I, MARGARITA PARLIONAS, am the Plaintiff in the within action for a divorce. I have read the foregoing Complaint and know the contents thereof. The contents of the Complaint are true to my own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.


Margarita Parlionas

Subscribed and sworn to before me
on October 20, 2015


Notary Public

RAFAEL ALARDO
Notary Public, State of New York,
No. 31-4989017
Qualified in New York County
Commission Expires Nov. 20, 2017

